Eviction of tribals

2772. SHRI BALAVANT *ALIAS* BAL APTE : Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether Government are aware of the eviction of a large number of tribals from their traditional habitats;

(b) if so, the details thereof;

(c) whether Government propose to make certain changes in the tribal policy/law with a view to prevent eviction of tribal people;

(d) if so, the details thereof;

(e) whether the Ministry of Environment and Forests has been consulted in this regard; and

(0 if so, their response thereto?

THE MINISTER OF TRIBAL AFFAIRS (SHRI P.R. KYNDIAH): (a) and (b) As a result of inadequate recognition of the rights of forest dwelling Scheduled Tribes over land, where they had been living for generations, the threat of eviction persists. However, in order to safeguard the interests of the tribals and forest dwellers whose disputed claims are yet to be settled, the Ministry of Environment & Forests has, without prejudice to Supreme Court's Order, and as an interim measure, advise the State Governments on 21.12.2004 and 12.5.2005 that they should not resort to the eviction of tribal people and forest dwellers other than ineligible encroachers, till the complete survey is done for the recognition of such people and their rights as per the guidelines for the settlement of such claims. The State/UT Governments have been advised to exclude such tribaIs/forest dwellers, other than ineligible encroachers, from the eviction drives. Simultaneously, it has also been clarified that this interim measure does not stop the State/UT Governments from evicting the ineligible encroachers from forest lands.

(c) to (f) Yes, Sir. The Ministry of Tribal Affairs has been mandated to formulate a comprehensive Central legislation to redress the historical injustice done to forest dwelling Scheduled Tribes by providing for clear assertion of their legal rights on land and other traditional forest rights.

The Ministry of Tribal Affairs has prepared a draft "The Scheduled Tribes (Recognition of Forest Rights) Bill, 2005", to provide a legislative frame for recognition of the afore-mentioned rights, a consultation with the concerned Ministries, including the Ministry of Environment & Forests.

The Bill was posted on the website of the Ministry of Tribal Affairs seeking comments/suggestions from the members of the public, the social activists, academicians, anthropologists, the experts working for the cause of environmental protection and welfare of tribal people and other stakeholders on the proposed legislation till 10.7.2005. The Ministry has received comments/suggestions from a large number of individuals/organizations. The proposed Bill is still a tentative draft Bill and to be finalised as per the established procedure taking views and comments received from the stakeholders into consideration.

Hostels for STs students

† 2773. SHRI LAXMINARAYAN SHARMA: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether proposals for Rs. 724.00 lakhs are pending with Government for construction of hostels for Scheduled Tribes boys/girls; and

(b) if so, by when this amount would be sanctioned?

THE MINISTER OF TRIBAL AFFAIRS (SHRI P.R. KYNDIAH): (a) and (b) The Ministry of Tribal Affairs have received proposals for release of grants in aid for construction of Boys/Girls Hostels from various State Governments. These proposals are for different amounts. In so far as the proposal of Rs. 724.00 lakhs, it apparently relates to Government of Madhya Pradesh. This amount can be considered for release during the current financial year *i.e.* 2005-06 subject to availability of funds, within the allocation of the State Government of Madhya Pradesh and a confirmation from the State Government that they have made provision for State share in their budget. State Government has already been advised in this regard but no proposal has been received from the State Government.

† Original notice of the question was received in Hindi.